

MINUTES

CRESSKILL PLANNING BOARD

JANUARY 28, 2014

Mayor Romeo opened the meeting at 7:40 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call: Mayor Romeo, Councilwoman Tsigounis, Ms. Bauer, Mrs. Schultz, Mr. Vieni, Mr. Calder and Mr. Ulshoefer. Mr. Galdi arrived at 7:50 PM. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Ulshoefer made a motion to approve the minutes of the January 14, 2014, meeting. The motion was seconded by Mr. Calder. All present were in favor of the motion. Motion approved.

Correspondence

Notices for 15 Wakelee Dr. Corp, Application #1441M, for the Public Hearing for the church property on Morningside and Park.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, sending Linda Del Nobile Menze, AIA, on behalf of the owners, Lyle Allan and Joanne Festa, to this Board for approval. They wish to construct a new home at 55 Magnolia Avenue. There was some confusion about the work being done and they had gone before the Zoning Board originally. This started out as an addition and has become a knockdown. Application #1443 was received on January 27, 2014 and is currently under review.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, sending DDA Cresskill Association, LLC, to this Board for approval, The were going to construct an addition at 134 5th Street. However, they had issues and more than 50% came down. They are now before this Board for a new construction with variances. Mayor Romeo noted that they were approved at the Zoning Board and when they were taking the brick facing off it was actually cinder block. They are now coming in as a new construction. No application has been received. File.

Subdivision Committee

Councilwoman Tsigounis reported that Application #1443, 55 Magnolia Avenue, Lyle Allan and Joanne Festa, was received on January 27, 2014, and is currently under review.

Application #1442, Ilan Cohen, 20 Crest Drive, North, was received on January 15, 2014, and is also currently under review.

Report from the Borough Engineer's Office

Mr. Azzolina stated that he has reviewed the plan for Application #1442 and they have deemed them incomplete. He has a draft memo prepared and will finalize it and send it to the applicants by the end of the week.

Old Business

None.

New Business

None.

Other Business

None.

Mayor Romeo opened the meeting to the public. Mary Kline asked about the Master Plan of Cresskill and how she could see it. Mayor Romeo advised her that she can come in the Borough Hall and they will give her a copy. It was last updated 2-3 years ago. Mr. Schuster explained that it is a very comprehensive plan and it now includes the resource inventory that was done in the past couple of years.

Mr. Ilan Cohen wanted to know what was going on with his application. Mr. Azzolina noted that their findings are that the plan is incomplete and he will send to him and his architect a memorandum that lists the deficiencies. Once those are addressed, then the Board will consider the application. Mr. Azzolina is not certain yet whether or not they are going to need variances.

Ms. Stacy Bailey, 42 Westervelt, wished to be heard. She wanted to know if there were any discussions regarding the Korean Church property and Hamrah's and what is going to be built on these sites. Mayor Romeo stated that Hamrah's has not come in officially but they have had some ideas on what they would like to do with the property. There is no application pending. For the Korean Church we do have an application to do single-family housing.

Ms. Kline wanted to know if there has been a traffic study done with regards to the impact of those homes on that specific property. Mayor Romeo noted that there hasn't been and it wouldn't warrant it. Mr. Schuster noted that County Road is a County road so the County has to be notified about the application and they may have comments about that.

Ms. Debbie Spindler, 308 Truman Drive, wished to be heard. She wanted to know at what point do you say the community itself and the school itself can't really accommodate any more children than it already has. The classes are at capacity. They have 27, 28 and 26 kids in a classroom with one teacher. Her daughter happens to be the one whose grade actually expanded and opened up another class for them. She wants to know where these children are going to school. Mayor Romeo stated that she would have to ask the Board of Ed.

Mr. Schuster noted that they will come before the Board and occasionally they will have circumstances where they will come in for an informal which is permitted under the land use act where there is going to be some discussion about the project. Once they file a formal application, there will be notices in the

newspaper and notices by mail pursuant by law about what the project is about, the plans are supposed to be available for review at least 10 days before the hearing. Then there will be a Public Hearing where you will be entitled to ask questions and make comments about the proposed plan.

Ms. Spindler noted that their main concern as a community is that they want to protect the moral fiber for their children. Keeping smaller class sizes and student-teacher ratios small has been what Cresskill has mostly been about. By expanding and building and having all these other people come in, it is going to cause problems for our educational system and so they are just here taking a proactive approach prior to any of these things coming down the pipe.

Mr. Schuster noted that anybody in town can come in and make an application for anything they want. That is why we have public hearings and that is why the public is invited to make comments about these things. The applicant will be here with their lawyer and experts and they will be ready to move ahead and explain why they are entitled to the relief requested from the Planning Board as far as getting a subdivision and variances.

Mr. Bill Bailey, 42 Westervelt, wished to be heard. Mr. Bailey noted that we got our COAH plan approved in 2010 that is good through 2018 and we have no more requirements for low income housing. There is nobody that can come in here and say to us that we didn't make our quota. Mr. Schuster stated that that is not so.

Mayor Romeo stated that the Supreme Court has ruled to take it back and redo it or count it the way it is. We are waiting to see what the final approval is. Yes we have satisfied our COAH quota for the third round. We have \$500,000 in COAH funds to use to build housing in Cresskill. We use it to rehab mother-daughters so elderly people can come in and get low income housing or to redo houses. The New Jersey Senate and the Governor's office want to take half of that money and give it to another city or to balance the State budget. So we would lose half of that money even though it is all our money. We are waiting now to see what exactly is going to happen. Mr. Schuster stated that we have done everything we were supposed to do. We have gotten all the approvals we were supposed to get, but because it is back in the courts, they may throw the whole thing out. He doesn't think that is going to happen, but it is not clear what is going to happen. Mayor Romeo said that we are good through 2018.

Ms. Spindler wanted to be clear that we have the right to reject any further low income housing proposals through 2018. Mayor Romeo agreed. Mr. Schuster noted that it depends on what the courts want to do about the existing plan. Mayor Romeo explained that there are probably 50-100 municipalities that haven't even done the first COAH round and we have done all three and they are still picking on the people that have complied.

Motion was made by Mr. Galdi to close the public portion of the meeting, seconded by Mr. Ulshoefer. All present were in favor. Motion approved.

Motion was made by Mr. Calder to adjourn the meeting at 8:04 PM, seconded by Mr. Vieni. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for February 11, February 25, March 11, and March 25, 2014, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary